

ENTERED

January 25, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DEDRICK J. RASCO,
Plaintiff,

v.

NANCY A. BERRYHILL, ACTING
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

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CIVIL ACTION NO. 4:17-cv-946

MEMORANDUM AND ORDER

Plaintiff Dedrick J. Rasco filed a Complaint on March 27, 2017, seeking judicial review of the denial of an application for Social Security benefits. On October 4, 2017, this Court referred the case to United States Magistrate Judge Dena Palermo for report and recommendation on dispositive motions. Order [Doc. # 8]. *See* 28 U.S.C. § 636(b)(1)(B). On January 5, 2018, Magistrate Judge Palermo issued a Report and Recommendation on Cross-Motions for Summary Judgment (the “Report and Recommendation”) [Doc. # 11] recommending summary judgment in favor of Plaintiff. The time for objections to the Report and Recommendation has expired without any objections being filed. The Court finds that the Magistrate Judge’s Report and Recommendation is well founded, and that the Magistrate Judge’s

recommended disposition should be adopted.¹ It is therefore

ORDERED that the Report and Recommendation [Doc. # 11] is **ADOPTED** as this Court's Memorandum and Order. It is further

ORDERED that the Commissioner's Motion for Summary Judgment [Doc. # 10] is **DENIED**. It is further

ORDERED that Plaintiff's Motion for Summary Judgment [Doc. # 7] is **GRANTED**. The administrative law judge's decision denying Plaintiff benefits is **VACATED**, and this case is **REMANDED** back to the administrative law judge for further proceedings consistent with this Memorandum and Order.

A final judgment will be entered separately.

SIGNED at Houston, Texas, this 25th day of **January, 2018**.


NANCY F. ATLAS
SENIOR UNITED STATES DISTRICT JUDGE

¹ Since there are no objections, the Court has not made a *de novo* review of this matter. See 28 U.S.C. § 636(b)(1).